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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,719	12/22/2005	Karlheinz Amtmann	2002P19099WOUS	7796

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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

NGUYEN, PHU K

ART UNIT	PAPER NUMBER
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2628

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/535,719

Applicant(s)

AMTMANN ET AL.

Examiner

Phu K. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8 and 16-19 is/are rejected.
- 7) ☒ Claim(s) 9-15, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


PHU K. NGUYEN
PRIMARY EXAMINER
GROUP 2300

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/19/05.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-8,16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by JAMMES (7,162,510) in view of WELMEC (Software requirements on the Basis of the Measuring Instruments Directive)

As per claim 6, Jammes teaches the claimed “method” comprising: “transmitting the data with its integrity safeguarded to the visualization system” (Jammes, column 5, lines 5-64); and “visualizing the data in the visualization system by an application linked via the standard interface in a different form from the presentation options which can be planned via the project planning software” (Jammes, column 9, lines 25-38). It is noted that Jammes does not teaches the “calibration-required data” as claimed. However, Welmec teaches that such “calibration-required data,” which is processed via a project planning software, is well known in the art (Welmec, the measuring instruments; page 14, figure 13). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Welmec, to configure Jammes’

method as claimed by transferring the "calibration-required data" over the standard interface because the application of measuring instruments is remotely developed through the network (Welne, the software loading; pages 20-21).

Claim 7 adds into claim 6 "the data is transmitted encrypted, and wherein the data is decrypted in the visualization system via the application linked via the standard interface" which is a standard protocol of the Internet (Jammes, the RTDDB frame encoding; column 6, lines 18-30; column 5, lines 55-64; column 9, lines 25-53).

Claim 8 adds into claim 7 "the data is encrypted with a private key and decrypted with the same private key" which is well known protocol for transmitting Internet data (official notice).

Claim 16 adds into claim 6 "the visualization system is projected by a predetermined project planning software" (Jammes, column 5, lines 5-64).

As per claim 17, Jammes teaches the claimed "method" comprising: "providing an industrial visualization system projected by a predetermined project planning software and having a standard interface for incorporating further applications; transmitting the data to the visualization system by securing integrity of the data" (Jammes, column 5, lines 5-64); and "visualizing the data in the visualization system by

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an application incorporated via the standard interface in a different form from presentation options which can be projected by the project planning software" (Jammes, column 9, lines 25-38). It is noted that Jammes does not teaches the "obligatory calibration data" as claimed. However, Welmec teaches that such "obligatory calibration data," which is processed via a project planning software, is well known in the art (Welmec, the measuring instruments; page 14, figure 13). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Welmec, to configure Jammes' method as claimed by transferring the "obligatory calibration data" over the standard interface because the application of measuring instruments is remotely developed through the network (Welmec, the software loading; pages 20-21).

Claim 18 adds into claim 17 "the data is transmitted encrypted, and wherein the data is decrypted in the visualization system via the application linked via the standard interface" which is a standard protocol of the Internet (Jammes, the RTDDB frame encoding; column 6, lines 18-30; column 5, lines 55-64; column 9, lines 25-53).

Claim 19 adds into claim 18 "the data is encrypted with a private key and decrypted with the same private key" which is well known protocol for transmitting Internet data (official notice).

Claims 9-15, 20-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The allowable feature for claims 9-13, 20 are "the calibration-required data is visualized in a display area of the visualization system not accessible by the project planning software."

The allowable feature for claims 14-15, 21 are "the calibration-required data is visualized together with additional information that cannot be planned by the project planning software."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phu K. Nguyen
March 28, 2007


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